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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David L. Rimm et al

Docket No.: H-1296(2) CPA

Serial No.: 08/976,886 CPA

Group: 1641

Filed: November 24, 1997

Examiner: C. Chin

For: "Method for the Detection, Identification, Enumeration and Confirmation of Circulating Cancer and/or Hematologic Progenitor Cells in Whole Blood"

**AMENDMENT A**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

RECEIVED

JUL 26 2000

Dear Sir:

TECH CENTER 1600/2900

Responsive to the Official Office Action dated July 5, 2000, please amend the above-identified application as follows.

**IN THE CLAIMS**

Please rewrite Claims 1-7, 9, 13 and 14 as follows.

1.(twice amended) A method for detecting the presence or absence of individual circulating epithelial cancer cells in an anticoagulated whole blood sample, said method comprising the steps of:

- a) providing [an at least partially] a transparent container having a cavity containing an insert, said container and insert combining to form a free volume between the insert and the walls of the container;
- b) combining the blood sample with one or more epitope-specific labeling agents so as to differentiate any individual epithelial cancer cells from other cells in the blood sample;
- c) combining the blood sample with a colorant which is operable to clarify individual epithelial cancer cell morphology in all individual epithelial cancer cells in the blood sample;
- d) placing the blood sample in the container and centrifuging the blood sample in the container so as to cause any individual epithelial cancer cells present in the blood sample to localize in said free volume in the container;

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